

AMENDED IN ASSEMBLY JUNE 25, 2015

AMENDED IN SENATE MAY 5, 2015

AMENDED IN SENATE APRIL 20, 2015

SENATE BILL

No. 492

Introduced by Senator Liu
(Principal coauthor: Senator Wolk)
(Principal coauthor: Assembly Member Brown)

February 26, 2015

An act to add Section 14132.279 to the Welfare and Institutions Code, relating to Medi-Cal.

LEGISLATIVE COUNSEL'S DIGEST

SB 492, as amended, Liu. Coordinated Care Initiative: consumer educational and informational guide.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. One of the methods by which these services are provided is pursuant to contracts with various types of managed care health plans. Existing federal law provides for the federal Medicare Program, which is a public health insurance program for persons 65 years of age and older and specified persons with disabilities who are under 65 years of age.

Existing law, the Coordinated Care Initiative (CCI), requires the department to seek federal approval pursuant to a Medicare or a Medicaid demonstration project or waiver, or a combination thereof, to establish a demonstration project that enables beneficiaries dually

eligible for the Medi-Cal program and the Medicare Program to receive a continuum of services that maximizes access to, and coordination of, benefits between the programs.

This bill would make legislative findings and declarations relating to the CCI and the availability of consumer protections for beneficiaries. The bill would require, no later than July 1, 2016, the department to develop and post on the department's Internet Web site, an educational and informational guide to assist consumers and patients in understanding the rights afforded to them under the CCI and how to effectively exercise those rights, as specified. The bill would require the department to distribute the educational and informational guide to specified consumer advocacy groups and programs and, upon request, to all other interested persons. *The bill would require the department to update the educational and informational guide annually, or as necessary, to keep the information contained in the guide up to date regarding changes to the CCI.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The Coordinated Care Initiative is an innovative health care
- 4 service delivery model for Californians who are eligible for services
- 5 under both the Medi-Cal and Medicare programs.
- 6 (b) Individuals eligible for services under the Coordinated Care
- 7 Initiative represent a diverse group of older adults and persons
- 8 with disabilities, and include some of the most vulnerable members
- 9 of our population.
- 10 (c) Incorporation of services from two programs required a
- 11 variety of changes in federal and state law, and complex contractual
- 12 agreements between the state and the federal Centers for Medicare
- 13 and Medicaid ~~Services~~, *Services* and between health plans and the
- 14 various administering state agencies.
- 15 (d) A key component of the Coordinated Care Initiative is the
- 16 inclusion of comprehensive beneficiary ~~protections~~, *protections*
- 17 to ensure that eligible individuals receive appropriate, safe, and
- 18 high-quality care. However, these protections are provided for
- 19 throughout the various statutes and contractual documents that

1 govern the establishment and operation of the Coordinated Care
2 Initiative.

3 (e) It is the intent of the Legislature in enacting this act to
4 recognize the diversity of individuals receiving services under the
5 Coordinated Care Initiative, and encourage implementation of an
6 individualized, person-centered service delivery model. The
7 Coordinated Care Initiative Consumer and Patient Educational
8 and Informational Guide is intended to empower beneficiaries to
9 effectively participate in decisions affecting their health care, by
10 providing information regarding the protections afforded to them
11 under the initiative.

12 SEC. 2. Section 14132.279 is added to the Welfare and
13 Institutions Code, to read:

14 14132.279. (a) This section shall be known, and may be cited,
15 as the Coordinated Care Initiative Consumer and Patient
16 Educational and Informational Guide.

17 (b) By July 1, 2016, the department shall develop and post on
18 the department's Internet Web site, an educational and
19 informational guide for consumers and patients about the
20 Coordinated Care Initiative (CCI). In developing the educational
21 and informational guide, the department shall consult with
22 stakeholders. The guide shall describe consumer and patient rights
23 under the CCI, and inform consumers and patients of effective
24 ways to exercise their rights and who to contact for assistance in
25 securing those rights. The guide shall include, but not be limited
26 to, all of the following information:

27 (1) How to determine whether a health care provider participates
28 in the CCI.

29 (2) How to file a grievance and appeal.

30 (3) How to change health plans.

31 (4) How to switch from Cal MediConnect to original Medicare
32 and a Medi-Cal managed care plan.

33 (5) How to obtain assistance in alternative languages.

34 (6) The toll-free telephone numbers for the following programs
35 to assist in problem solving:

36 (A) Cal MediConnect's Ombudsperson Program.

37 (B) Medi-Cal Managed Care ~~Ombudsperson Program~~. *Office*
38 *of the Ombudsperson*.

39 (C) HMO Help Center, operated by the Department of Managed
40 Health Care.

1 (D) Medicare.

2 (E) Health Care Options.

3 (c) (1) The educational and informational guide shall include
4 information for each of the following groups of individuals:

5 (A) Dual eligibles: those individuals who are dually eligible for
6 Medicare and Medi-Cal.

7 (B) Seniors and persons with disabilities who are required to
8 receive long-term services and supports through a Medi-Cal
9 managed care plan.

10 (2) The department may develop a separate educational and
11 informational guide for each of the groups identified in paragraph
12 (1).

13 (d) (1) Upon publication, the department shall distribute the
14 educational and informational guide developed pursuant to this
15 section to all of the following organizations:

16 (A) Statewide senior advocacy groups.

17 (B) Statewide consumer advocacy groups.

18 (C) State and local ombudspersons.

19 (D) Health consumer centers.

20 (E) Health insurance counseling and advocacy programs.

21 (2) The educational and informational guide shall be made
22 available upon request to all other interested persons.

23 (e) The department shall make the educational and informational
24 guide easy to read and understand and available in all Medi-Cal
25 threshold languages, using an appropriate literacy level and in a
26 culturally competent manner.

27 *(f) The department shall update the educational and*
28 *informational guide developed pursuant to this section annually,*
29 *or as necessary, to keep the information contained in the guide up*
30 *to date regarding changes to the CCI.*